

REMARKS/ARGUMENTS

Claims 1, 3-5, 9, 12, 22-24, and 29-32 are pending in the subject Application and are presently under consideration. In an Office Action dated July 8, 2008, claims 1, 3-5, 9, 12, 22-24, and 29-32 were rejected. In the present response, Applicants cancel all pending claims and add new claims 33-56.

Favorable reconsideration of the subject patent Application is respectfully requested in view of the comments and amendments herein.

I. Rejection of claims 5, 30, and 31 under 35 U.S.C. §112

Claims 5, 30, and 31 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Applicants herein cancel claims 5, 30, and 31. The rejection of claim 5, 30, and 31 under 35 U.S.C. §112 is thereby rendered moot.

II. Rejection of Claims 1 and 9 under 35 U.S.C. §102(e)

Claims 1 and 9 stand rejected under 35 U.S.C. §102(e).

Applicants herein cancel claims 1 and 9. The rejection of claims 1 and 9 under 35 U.S.C. §102(e) is thereby rendered moot.

III. Rejection of Claims 3-5, 12, 22-24, and 29-32 under 35 U.S.C. §103(a)

To establish a prima facie case of obviousness under 35, U.S.C. §103(a), the prior art reference (or references when combined) must teach or suggest all the claim limitations. Furthermore, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicant's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The Examiner rejected claims 3-5, 12, 22-24 29-32 under 35 U.S.C. §103(a). Applicants herein cancel claims 3-5, 12, 22-24, and 29-32. The rejection of claims 3-5, 12, 22-24, and 29-32 under 35 U.S.C. §103(a) is thereby rendered moot.

IV. Cited References

In the pending Office Action, the Examiner based his rejections on the following references.

- U.S. Patent No. 7,079,502 ("Yamano")
- U.S. Patent No. 6,781,999 ("Eyuboglu").
- U.S. Patent No. 6,895,216 ("Sato")
- U.S. Patent No. 6,490,259 ("Agrawal").
- U.S. Patent No. 7,039,180 ("Issaa")..
- U.S. Patent No. 6,801,508 ("Lim")

V. New Claims 33-56

Applicants herein add new claims 33-56 and submit that no new matter is added by claims 33-56. Applicants submit that new claims 33-56 are allowable under 35 U.S.C. §112, second paragraph, and over the cited references under 35 U.S.C. §102(e) and 35 U.S.C. §103(a).

Independent Claim 33

Applicants herein add new claim 33 which recites the following claim elements.

An infrastructure element for providing broadcast transmissions in a communication network, the infrastructure element comprising:
means for joining an external multicast tree;
means for joining an internal multicast tree;
means for receiving a first multicast transmission over the external multicast tree, wherein the first multicast transmission identifies a selected content source as a source of the first multicast transmission;
means for encapsulating the first multicast transmission to form an encapsulated packet; and
means for transmitting the encapsulated packet over the internal multicast tree in a second multicast transmission, wherein the second multicast transmission identifies the infrastructure element as a source of the second multicast transmission.

Support for the above claim can be found, for instance, in the Applicants' Specification at paragraph [1075] and with reference to **Figure 9A** of Applicants' drawings.

Applicants submit that the cited references taken alone or in any proper combination fail to disclose or suggest all of the claim limitations of claim 33 shown above. For example, the

references fail to disclose or suggest *means for receiving a first multicast transmission over an external multicast tree ... and a means for transmitting an encapsulated packet over an internal multicast tree in a second multicast transmission*. Therefore, independent claim 33 is allowable over the cited references under 35 U.S.C. §102(e) and 35 U.S.C. §103(a).

Independent Claims 36, 39, and 42

With respect to independent claims 36, 39, and 42, Applicants submit that these claims comprise limitations similar to claim 33 and are therefore allowable over the cited references for at least the same reasons as claim 33. These claims are fully supported in the Specification, for example, claim 36 is supported in the Specification at paragraph [1095].

Dependent Claims 34, 35, 37, 38, 40, 41, 43, and 44

With respect to dependent claims 34, 35, 37, 38, 40, 41, 43, and 44, Applicants submit that these claims depend from allowable base claims and are therefore allowable for at least the same reasons as their respective base claims.

Independent Claim 45

Applicants herein add new claim 45 which recites the following claim elements.

An infrastructure element for providing broadcast transmissions from a wired communication network to a wireless communication network, the infrastructure element comprising:

means for establishing one or more secure tunnels to communicate with one or more infrastructure entities, respectively, of the wireless communication network;

means for joining a multicast tree associated with the wired communication network;

means for receiving a multicast transmission over the multicast tree, wherein the multicast transmission comprises an encapsulated packet; and

means for transmitting the encapsulated packet over the one or more secure tunnels.

Support for the above claim can be found, for instance, in the Applicants' Specification at paragraph [1080] and with reference to **Figure 11A** of Applicants' drawings.

Applicants submit that the cited references taken alone or in any proper combination fail

to disclose or suggest all of the claim limitations of claim 45 shown above. For example, the references fail to disclose or suggest *means for receiving a multicast transmission over the multicast tree ... and means for transmitting the encapsulated packet over the one or more secure tunnels*. Therefore, independent claim 45 is allowable over the cited references under 35 U.S.C. §102(e) and 35 U.S.C. §103(a).

Independent Claims 48, 51, and 54

With respect to independent claims 48, 51, and 54, Applicants submit that these claims comprise limitations similar to claim 45 and are therefore allowable over the cited references for at least the same reasons as claim 45. These claims are fully supported in the Specification, for example, claim 48 is supported in the Specification at paragraph [1095].

Dependent Claims 46, 47, 49, 50, 52, 53, 55, and 56

With respect to dependent claims 46, 47, 49, 50, 52, 53, 55, and 56, Applicants submit that these claims depend from allowable base claims and are therefore allowable for at least the same reasons as their respective base claims.

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Amendment dated November 25, 2008
Reply to Office Action of July 28, 2008

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 17-0026.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution; the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

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Respectfully submitted,

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